

✓ Serial No. 09/894,356

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6-18-03

**In the Claims:**

Please amend the application as set forth below:

Claims 1-19 (previously cancelled)

20. (newly amended) A tissue sampling apparatus, comprising:

a body having a primary lumen for receiving a tissue sample, and having a distal end, a proximal end, and a longitudinal axis extending from said proximal end to said distal end;  
a cutter having a distal cutting edge and being movable both distally and proximally relative to said body; and  
a flexible band having an opening disposed therein and said flexible band being wrapped about extending across a distal end of said tissue sampling apparatus and movable for severing, said opening being movable relative to said distal cutting edge in order to sever a distal end of a said tissue sample received in said primary lumen.

21.(previously added) The tissue sampling apparatus as recited in Claim 20, wherein said body comprises an outer sheath, and said cutter is disposed within said outer sheath.

22.(previously added) The tissue sampling apparatus as recited in Claim 21, wherein said cutter is selectively rotatable.

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23.(previously added) The tissue sampling apparatus as recited in Claim 21, and further comprising an actuator disposed proximally of said body.

24.(previously added) The tissue sampling apparatus as recited in Claim 23, wherein said actuator comprises a trigger for axially retracting and extending said cutter.

25.(previously added) The tissue sampling apparatus as recited in Claim 24, wherein said trigger also moves said band in order to move said opening relative to said distal cutting edge.

26.(previously added) The tissue sampling apparatus as recited in Claim 23, wherein said actuator comprises a trigger for selectively rotating said cutter.

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27.(previously added) The tissue sampling apparatus as recited in Claim 23, wherein said actuator comprises a cam nut for axially retracting and extending said cutter.

28.(previously added) The tissue sampling apparatus as recited in Claim 27, wherein said cam nut also moves said band in order to move said opening relative to said distal cutting edge.

29.(previously added) The tissue sampling apparatus as recited in Claim 20, wherein said body lumen is sized to accommodate a plurality of tissue samples.

30. (newly amended) A tissue sampling apparatus, comprising:

a body having a primary lumen for receiving a tissue sample, and having a distal end, a proximal end, and a longitudinal axis extending from said proximal end to said distal end; and

C | a flexible severing element, said flexible severing element being wrapped about  
~~having an opening disposed therein and extending across~~ a distal end of said tissue sampling apparatus, and said flexible severing element being movable relative to said primary lumen  
~~said opening being movable relative to said body~~ in order to sever a distal end of said tissue sample.

31.(previously added) The tissue sampling apparatus as recited in Claim 30, and further comprising an actuator disposed proximally of said body.

32. (newly amended) The tissue sampling apparatus as recited in Claim 31, wherein said actuator is adapted to move said severing element ~~in order to move said opening relative to said body~~.

33. (previously added) The tissue sampling apparatus as recited in Claim 31, wherein said actuator comprises a trigger.

34. (previously added) The tissue sampling apparatus as recited in Claim 31, wherein said actuator comprises a cam nut.

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35. (previously added) The tissue sampling apparatus as recited in Claim 30, and further comprising a cutter having a distal cutting edge and being movable both distally and proximally relative to said body.

36. (previously added) The tissue sampling apparatus as recited in Claim 30, and further comprising a probe fitting having an aperture which communicates with said primary lumen, said probe fitting being configured to receive a sensing probe for locating a lesion in a patient's body.

37 (cancelled)

38 (cancelled)

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39. (newly added) A method of capturing a tissue sample using a tissue sampling apparatus having a tissue receiving lumen, the method comprising the steps of:

cutting along a length of a tissue mass to provide a partially severed tissue sample core;

*C2*  
positioning said partially severed tissue sample core in said lumen; and  
conveying a flexible cutter around a distal end of said tissue receiving lumen to sever the distal end of the tissue sample core.

40. (newly added). The method of Claim 39 further comprising the step of storing multiple discrete severed tissue samples within said lumen.